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| 10/617,898 | | 07/10/2003 | Mika Niemi | 2709/0M958US0 4029 | |
| 7278 | 7590 | 11/16/2004 | | EXAMINER | |
| DARBY & DARBY P.C. P. O. BOX 5257 NEW YORK, NY 10150-5257 | | | TRAN, A | ANH Q | |
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| | | | 2819 | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

| Application No. Application No. NIEMI, MIKA | | A It At NI | A | | | | | |
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| ## Defice Action Summary ## Defice Action Summary ## Deficial For Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. ## STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. ## Deficial For the Security of State In Security of | | Application No. | Applicant(s) | | | | | |
| Anh Q. Tran - The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. If the period for reply specified above is less than thirty (30) days, a reply within the statutory printed will graph and will expire 300 days will be considered sinely. If the period for reply specified above is less than thirty (30) days, a reply with the statutory printed will graph and will expire 300 days will be considered sinely. If the period for reply specified above, the maximum statutory printed will graph and will expire 300 days will be considered sinely. If the period for reply specified above, the maximum statutory printed will graph and will expire 300 days will be considered in the communication. A proper processed by the Office later than three months after the mailing date of this communication, aven if timely filed, may reduce any sense of printed than 300 days will be considered in the communication. A proper processed by the Office later than three months after the mailing date of this communication, aven if timely filed, may reduce any sense of printed than 300 days will be communication. A proper processed by the Office later than three mailing date of this communication, aven if timely filed, may reduce any sense and the sense and | Office Action Commence | 10/617,898 | NIEMI, MIKA | | | | | |
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| THE MAILING DATE OF THIS COMMUNICATION. Estancians of time may be vasible under the provisions of 3° CPR 1.136(p). In no event, however, may a reply be limitly filed after 50x (8) MONTHS from the mailing date of this communication. It NO peace for reply is specified above, the mailment studency placed study printing the studency minimum of thiny (20) days will be considered simply. It NO peace for reply is specified above, the mailment studency placed studency printing the studency mailed studency and the studency placed studency and the studency and the studency placed studency and the studency placed studency and the studency and | | ears on the cover sheet with the c | orrespondence address | | | | | |
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Art Unit: 2819

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Smith (6,724,278).

Claim 1, Smith shows an arrangement (Fig. 4) for bypassing a low-noise amplifier (LNA 1) in a radio receiver which comprises an antenna filter (60A) between said amplifier and antenna (30), and a bypass path (LNA 2) for said amplifier, the arrangement comprising, at output side of said amplifier (91A), a changeover switch (90) for selecting a signal to be led along the signal path either from said amplifier or from the bypass path, said antenna filter having at least two parallel outputs (68A & 68A') the first of which is coupled direct to an input of said amplifier and the second of which is coupled direct to said bypass path.

Claim 5, Smith shows a second low-noise amplifier (LNA 2) on the bypass path.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

- 4. Claims 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (6,724,278) in view of applicant's Prior Art.
- 5. Smith discloses the claimed invention except that the changeover switch being implemented by PIN diodes, MEMS, MMIC, or relay instead of a movable switch.

 Applicant's Prior Art shows that a switch being implemented by PIN diodes, MEMS, MMIC, or relay is an equivalent structure known in the art (page 1, last paragraph).

 Therefore, because these two switches were art-recognized equivalents at the time the invention was made, one of ordinary skill in the art would have found it obvious to substitute PIN diodes, MEMS, MMIC, or relay switch for moveable switch.

Allowable Subject Matter

6. Claims 2-4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Q. Tran whose telephone number is 571-272-1813. The examiner can normally be reached on M-TH (7:00-5:30) Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Tokar can be reached on 571-272-1812. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Anh Q. Tran Examiner
Art Unit 2819

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